

Remarks

A. Overview

The present application includes claims 1 and 3-78.

B. Claim Rejections

Claims 1, 3, 7-13, 15, 16, 20-23, 25-27, 56-58, 62-65, and 67-71 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,286,167 to Stolpmann ("Stolpmann Patent") in view of U.S. Patent No. 4,538,311 to Hall et al. ("Hall Patent").

Claims 4, 17, 40-44, 46, 47, and 59 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of the Stolpmann Patent in view of the Hall Patent as applied to claim 1 above and in further view of U.S. Patent No. 5,421,044 to Steenson ("Steenson Patent").

Claims 5, 6, 18, 19, 48-52, 54, 55, 60, and 61 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of the Stolpmann Patent in view of the Hall Patent as applied to claims 4 and 17 above and in further view of U.S. Patent No. 4,768,249 to Goodwin ("Goodwin Patent").

Claims 28, 29, 33-36, 38, 39, and 73-78 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of the Stolpmann Patent in view of the Hall Patent and in further view of U.S. Patent No. 6,453,490 to Cardinale ("Cardinale Patent").

Claims 30-32 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of the Stolpmann Patent in view of the Hall Patent and the Cardinale Patent as applied to claim 28 above and further in view of the Steenson Patent.

Claims 14, 24, 37, 45, 53, 66, and 72 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of the Stolpmann Patent in view of the Hall Patent as applied to claims 1, 23, 56, and 67 above, the Stolpmann Patent in view of the Hall Patent and the Cardinale Patent as applied to claim 36 above, the Stolpmann Patent in view of the Hall Patent and the Steenson Patent as applied to claim 44 above, the Stolpmann Patent in view of the Hall Patent and the Goodwin Patent as applied to claim 52 above, and all in further view of U.S. Patent No. 6,014,784 to Taylor et al. ("Taylor Patent").

The instant application and the Stolpmann Patent are commonly owned by Hill-Rom Services, Inc. The assignment of the Stolpmann Patent to Hill-Rom Services, Inc. is recorded at Reel/Frame 011796/0440. Included with this response is a terminal disclaimer, disclaiming the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of the Stolpmann Patent. By filing the above terminal disclaimer the Applicant is not acquiescing in the Examiner's determination of double patenting, but is rather expediting the issuance of a patent from the instant application.

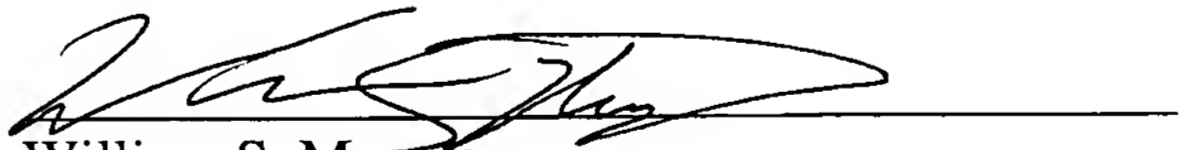
Accordingly, Applicant submits that the above obviousness type double patenting rejections are moot.

E. Final Remarks

Claims 1 and 3-78 are believed to be in condition for allowance. Such allowance is respectfully requested.

If necessary, please consider this a Petition for Extension of Time to effect a timely response. Please charge any additional fees or credits to the account of Bose McKinney & Evans, LLP Deposit Account No. 02-3223. In the event that there are any questions related to these amendments or to the application in general, the undersigned would appreciate the opportunity to address those questions directly in a telephone interview to expedite the prosecution of this application for all concerned.

Respectfully submitted,
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